

### **REMARKS**

Claims 1-13 are pending. Claims 1, 2, 6 and 13 are independent.

Claims 3 and 4 are objected to due to the spelling of the word "signalling" in the claims.

With reference to, for example, the Merriam Webster Online Dictionary (see <http://www.m-w.com/dictionary/signalling>), applicant submits that the claims recite an appropriate and acceptable spelling of the word "signalling." Accordingly, applicant submits that the objection to the claims has been addressed, and withdrawal of the objection is requested.

Claim 10 has been deemed allowable if rewritten in dependent form including all of the limitations of the base claim and any intervening claims.

In the Office Action, claims 1, 6 and 13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. US 2002/0101835 A1 (Gerakoulis) in combination with U.S. Patent No. 5,933,763 (Wang).

Applicant submits that for a proper rejection under 35 U.S.C. § 103(a), the prior art reference, or references when combined, must teach or suggest all of the claim limitations (MPEP 706.02(j)).

Claim 1 is not taught or suggested by Gerakoulis or Wang, because neither of the

references, either taken alone, or in combination, teach or suggest:

A communication system having a downlink data channel for the transmission of data packets from a primary station to a secondary station, **a first uplink control channel for the transmission of information relating to reception of data packets from the secondary station to the primary station,** and a second uplink control channel for the transmission of pilot information ... wherein the secondary station comprises power control means for temporarily increasing the transmission power of at least the part of the second control channel including pilot information for a predetermined period during which the status signal is transmitted.

(emphasis added).

As conceded in the Office Action, Gerakoulis does not teach or suggest a system "wherein the secondary station comprises power control means for temporarily increasing the transmission power of at least the part of the second control channel."

For this feature, the Office Action relies upon Wang.

Wang describes a system whereby a "user terminal is paged with a paging signal transmitted by [a] satellite based transceiver. (See Wang at column 4, lines 41-42). The paging (downlink) signal can be transmitted from the satellite (primary station) to the to a user terminal (secondary station) at a first power level. (See Wang at column 4, lines 46-48). If the paging (downlink) signal from the satellite (primary station) is not acknowledged by the user terminal (secondary station) within a selected time period, the "paging [(downlink)] signal is retransmitted at an increased power level." (See Wang at column 4, lines 50-54).

Thus, Wang describes a system where a satellite (primary station) pages (downlink) a user terminal (secondary station), and if an acknowledgment (uplink) from the user terminal

(secondary station) is not received, the satellite (primary station) transmits a new paging signal (downlink) to the user terminal (secondary station) at a higher power level.

In stark contrast, claim 1 recites a system having "a downlink data channel for the transmission of data packets from a primary station to a secondary station," "a first uplink control channel for the transmission of information relating to reception of data packets from the secondary station to the primary station," and "a second uplink control channel for the transmission of pilot information ... wherein the secondary station comprises power control means for temporarily increasing the transmission power of at least the part of the second control channel."

As described in the present application as published (See US 2005/0143114 A1):

The power level of the second uplink control channel is normally set to provide the correct power level for the uplink data channel according to the relative gain factor between the two channels. However, in this case the power level set for the second uplink control channel may not be high enough to enable sufficiently good channel estimation for reliable detection of ACK/NACK messages at the same time.

In a system made in accordance with the present invention, **this problem is addressed by temporarily increasing the power of the second uplink control channel** (or at least the portion of the channel including the pilot information) **when an ACK/NACK message is to be transmitted**. Following transmission of the message the power level is reduced by the same amount.

(present application as published at paragraphs [0022] and [0023])(emphasis added).

Thus, claim 1 recites increasing the power level of a second uplink channel between the secondary station to the primary station so that an acknowledge signal (ACK) will be

recognized by the primary station. This claimed invention addresses a different problem than that addressed by Wang, wherein multiple paging downlink signals are sent with increasing power.

Accordingly, claim 1 is not taught or suggested by Gerakoulis or Wang, either taken alone, or in combination. Accordingly, applicant respectfully submits that claim 1 is in condition for allowance and requests withdrawal of the rejection to claim 1.

Independent claims 6 and 13 comprise similar features as claim 1, and are therefore not taught or suggested by Gerakoulis or Wang, either taken alone, or in combination, for at least the reasons discussed above with respect to claim 1. Accordingly, applicant respectfully submits that claims 6 and 13 are in condition for allowance and requests withdrawal of the rejections to those claims.

In the Office Action, claims 2-4 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Gerakoulis in combination with Wang and U.S. Patent No. 7,203,182 (Hwang).

Independent claim 2 comprises similar features as claim 1, and is therefore not taught or suggested by Gerakoulis or Wang, either taken alone, or in combination, for at least the reasons discussed above with respect to claim 1.

Hwang does not cure the deficiencies of Gerakoulis and Wang.

Hwang describes a communication system wherein a first station transmits data to a second station. If the second station issues a NAK request (i.e., resend), the first station resends the original data at a higher power level. (See Hwang at figure 6 and column 8, lines 42-53).

Hwang, either alone, or in combination with Gerakoulis and/or Wang, does not teach or suggest "a downlink data channel for the transmission of data packets from a primary station to a secondary station," "a first uplink control channel for the transmission of information relating to reception of data packets from the secondary station to the primary station," and "a second uplink control channel for the transmission of pilot information ... wherein the secondary station comprises power control means for temporarily increasing the transmission power of at least the part of the second control channel."

Accordingly, claim 2 is not taught or suggested by Gerakoulis, Wang or Hwang, either taken alone, or in combination. Accordingly, applicant respectfully submits that claim 2 is in condition for allowance and requests withdrawal of the rejection to claim 2.

Dependent claims 3 and 4 each ultimately depend from claim 2 and dependent claim 12 ultimately depends from claim 6, and are therefore not taught or suggested by Gerakoulis, Wang or Hwang, either taken alone, or in combination, for at least the reasons discussed above with respect to claims 2 and 6. Accordingly, applicant respectfully submits that claims 3, 4 and 12 are in condition for allowance and requests withdrawal of the rejections to those claims.

In the Office Action, claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Gerakoulis in combination with Wang, Hwang and U.S. Patent Publication No. US 2003/0157953 A1 (Das).

Dependent claim 5 ultimately depends from claim 2, and is therefore not taught or suggested by Gerakoulis, Wang or Hwang, either taken alone, or in combination, for at least the reasons discussed above with respect to claims 2.

Das is directed to a system for express signaling in a wireless system, but does not cure the deficiencies of Gerakoulis, Wang and Hwang. Accordingly, applicant respectfully submits that claim 5 is in condition for allowance and requests withdrawal of the rejection to that claim.

In the Office Action, claim 7 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Gerakoulis in combination with Wang and U.S. Patent No. 6,035,209 (Tiedemann).

Dependent claim 7 ultimately depends from claim 6, and is therefore not taught or suggested by Gerakoulis or Wang, either taken alone, or in combination, for at least the reasons discussed above with respect to claims 6.

Tiedmann is directed to a system for performing fast power control, but does not cure the deficiencies of Gerakoulis or Wang. Accordingly, applicant respectfully submits that claim 7 is in condition for allowance and requests withdrawal of the rejection to that claim.

In the Office Action, claims 8 and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Gerakoulis in combination with Wang and U.S. Patent No. 7,185,256 (Miki).

Dependent claims 8 and 9 ultimately depend from claim 6, and are therefore not

taught or suggested by Gerakoulis or Wang, either taken alone, or in combination, for at least the reasons discussed above with respect to claims 6.

Miki is directed to a system that increases a power level in response to an acknowledgement signal, but does not cure the deficiencies of Gerakoulis or Wang. Accordingly, applicant respectfully submits that claims 8 and 9 are in condition for allowance and requests withdrawal of the rejection to those claims.

In view of the foregoing, it is respectfully submitted that the currently-pending claims are in condition for allowance and favorable consideration is earnestly solicited.

Respectfully submitted,

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